



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,468	06/06/2001	Anthony G. Matous	4346A	7940

7590 04/11/2005

CAROTHERS AND CAROTHERS

Suite 500
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
----------	--------------

2152

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/875,468	Applicant(s) MATOUS ET AL.	
	Examiner Chad Zhong	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5,7-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5,7-10 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

T6

OFFICE ACTION

1. This action is responsive to communications: Amendment A, filed on 11/04/2004.

Claims 2-5, 7-10, 12 are presented for examination. In amendment B, filed on 11/04/2004:

Claims 2-5, 7-10, 12 are amended.

Claims 1, 6, 11 are cancelled.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Rejections - 35 USC § 112, second paragraph

3. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following terms lack antecedent basis:

ii. the access – claim 2, line 7.

iii. the host computer management system – claim 7, line 6.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

Art Unit: 2152

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-5, 7-10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Dornbush et al. (hereinafter Dornbush), US 6,471,521, in view of "Platforms", C-lab, 2001.

6. As per claim 2, Dornbush teaches a computer implemented method of providing self directed online interactive experiences such as learning or game playing by multiple participants on user general purpose computers having a memory device and a display device, the user computers being coupled to a computer network, the computer implemented method comprising:

storing a database of interactive experiences in a storage medium of a remote host computer coupled to the network, said host computer having web server capabilities (Col. 2, lines 15-20);

multithreading the access of said database whereby multiple participant users of general purpose computers may simultaneously access and participate in selected ones of the stored interactive experiences (Col. 2, lines 1-5);

providing navigation capabilities in the host computer whereby a participant user on a user general purpose computer may selectively navigate a host management system programmed into the host computer (Col. 8, lines 44-50), and

accessing a desired interactive experience from the interactive experiences stored in the host database with at least one of the user general purpose computers over the network and displaying it in a screen of the display device of the at least one user computer for interactive participation in the experience by a participant user (Col. 7, lines 53-67).

7. Dornbush does not explicitly teach:

providing index capabilities in the host computer whereby the participant user may exit

Art Unit: 2152

participation at any desired time and will be automatically returned to the place of termination upon re-accessing the database by the participant user for continued participation.

8. C-lab teaches:

providing index capabilities in the host computer whereby the participant user may exit participation at any desired time and will be automatically returned to the place of termination upon re-accessing the database by the participant user for continued participation (see for example, pg 5, lines 5-6, for advantages of picking up where student left off).

9. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Dornbush and C-lab because they both dealing online classroom learning systems. Furthermore, the teaching of C-lab to allow providing index capabilities in the host computer whereby the participant user may exit participation at any desired time and will be automatically returned to the place of termination upon re-accessing the database by the participant user for continued participation would improve the functionality for Dornbush's system by allowing users to come back to location where he/she left off from the last session.

10. As per claim 3, Dornbush teaches the computer implemented method of claim 2 wherein said interactive experiences are learning experiences for a learning management system and accessing includes accessing at least one course component learning experience selected from a group consisting of learn (Fig 3, 78d, students learn by reviewing results), complete course work (Fig 3, item 78a, the course has an end time), demonstrate knowledge (Fig 3, item 78c, quiz tests student's knowledge), self evaluation (Col. 20, lines 60-67, wherein student can be a self evaluator) and share course work (Col. 10, lines 49-67; Fig 3, item 78b).

11. As per claim 4, Dornbush teaches the computer implemented method of claim 3 wherein

Art Unit: 2152

accessing the learn component of the course component learning experiences includes accessing at least one course section selected from a group consisting of course objective outline, provision of learning materials, tools for navigating selected portions of the host computer learning management system and display of concepts (Col. 8, lines 44-50).

12. As per claim 5, Dornbush teaches the computer implemented method of claim 4 wherein accessing display of concepts includes accessing at least one of the display of concepts selected from a group consisting of an engaging interaction, a web site visit, a real-world simulation, hard copy documentation and electronic collaborative communications (Col. 10, lines 49-67).

13. As per claim 7-10, Claims 7-10 are rejected for the same reasons as rejection to claims 2-5 above respectively.

14. As per claim 12, Claims 12 is rejected for the same reasons as rejection to claims 2 above.

Conclusion

15. Applicant's remarks filed 11/04/2004 have been considered and are found persuasive with regards to claim 6. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of "Platforms", C-lab, 2001.

16. In the remark, the applicant argued in substance that Dornbush fails to disclose or even suggest that interactive learning experiences are learning experiences for a learning management system and that they maybe accessed in the form of a learning experience consisting of one or more of "learn, complete course work, demonstrate knowledge, self-evaluation, and share-course work".

In response to applicant's argument, Dornbush teaches the above sections.

Art Unit: 2152

Referring to Col. 10, lines 49-67, Dornbush teaches sharing of data between the group, and further evaluation of said shared data.

Thus, Dornbush teaches at least one of the learning experiences.

17. In the remark, the applicant argued in substance that Dornbush fails to disclose or even suggest that accessing the learn component of the course component learning experiences by accessing at least one course section selected from a group consisting of course objective outline, provision of learning materials, tools for navigating selected portions of the host computer learning management system and display of concepts.

In response to applicant's argument, Dornbush teaches the above sections.

Referring to Col. 8, lines 44-50, wherein the navigation functions between webpages are taught, displaying of concepts are shown in Fig 3, wherein the concepts such as questions, study materials are presented to the users.

Thus, Dornbush teaches at least one of the course components

18. In the remark, the applicant argued in substance that Dornbush fails to disclose or even suggest that accessing display of concepts includes accessing at least one of the display of concepts selected from a group consisting of engaging interaction, website visit, real-world simulation, hard copy documentation and electronic collaborative communications.

In response to applicant's argument, Dornbush teaches the above sections.

Referring to Col. 10, lines 49-67, Dornbush teaches electronic collaborative communications between plurality of users within a group.

Thus Dornbush teaches at least one of display of concepts.

19. In the remark, the applicant argued in substance that Dornbush fails to disclose or even suggest that the host computer can be programmed with index capabilities whereby the

Art Unit: 2152

participant user may exit participation at any desired time and will be automatically returned to the place of termination upon re-accessing the database by the participant user for continued participation.

In response to applicant's arguments, the secondary reference 'Platforms' (in combination with Dornbush) satisfies the claimed features.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


The following patents and publications are cited to further show the state of the art with respect to method of providing router with subnetwork address pool in a cellular telecommunications network.

- i. US 2001/0031456 Cynaumon et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100